

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

MARCO VELASCO-CHANONA,
Institutional ID No. 14467-032,

Plaintiff,

V.

S. McADAMS, Senior Warden,
et al.,

Defendant(s).

CIVIL ACTION NO.
5:14-CV-111-C
ECF

ORDER

The United States Magistrate Judge entered a Report and Recommendation on October 22, 2014, recommending that the District Court grant Plaintiff's "Motion to Dismiss and Withdraw" filed October 17, 2014, and dismiss Plaintiff's complaint without prejudice.

The Court accepts and adopts the findings, conclusions, and recommendation of the Magistrate Judge.

It is, therefore, ORDERED:

- (1) Plaintiff's "Motion to Dismiss and Withdraw" filed October 17, 2014 is GRANTED.
- (2) Plaintiff's complaint and all claims alleged therein are dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(2).
- (3) Any pending motions are denied.

Plaintiff is admonished that if he re-files his civil rights complaint, he must either pay the full filing fee or file an application to proceed *in forma pauperis* and a certificate of his inmate trust account.

Dated November 12, 2014.



SAM R. CUMMINGS
United States District Judge